

GOAL 3

Maintain housing opportunities for all segments of the population while limiting the total number of new housing units to preserve the rural character of the planning area and minimize impacts on the critical habitat areas.

Current Conditions Summary

As described earlier, the LCP process envisions issuance of 200 residential dwelling units over the twenty-year planning horizon. The first 30 of those 200 permits will be issued to applicants who had already received an allocation but could not be issued a permit due to the traffic concurrency moratorium. These applicants were awarded regulatory relief through beneficial use or administrative relief after waiting for at least five years. All but two of the permits will be issued for single family lots within Tier III. The two remaining lots are in Tier I.

The 170 additional permits to be issued over the next twenty years will be located primarily on privately owned vacant upland lots zoned for residential use. There are a total of 1,539 private vacant upland residential lots located in improved subdivisions. Of these, 756 (49%) are in Tiers II and III. This illustrates the fact that there is sufficient area and in fact a large surplus of lots available to accommodate planned development.

Most residential development within the planning area takes place in single family residential subdivisions at the rate of one house per lot. Table 2.4 shows the characteristics of existing housing outside of single family subdivisions.

Table 2.4 Housing outside single family subdivisions.		
Type	Number	Status
Mobile homes/RVs (not including RV spaces)	518	Permanent or seasonal
Multi-family/duplex	121	Permanent
Attached employee unit	93	Permanent
Institutional (shelters, etc.)	61	Transient
Source: U.S. Census 2000		

Table 2.5 below summarizes the status of current housing on Big Pine Key and No Name Key. The average size for households on Big Pine Key is 2.21 persons and for No Name Key is 2.48 persons.

Table 2.5 Housing figures for Big Pine and No Name Keys from the 2000 census.

	Vacant for rent	Vacant for sale	Vacant Seasonal	Vacant Other	Owner Occupied	Renter Occupied	Totals
Big Pine Units	36	45	727	98	1,723	524	3,153
Household Pop					3,749	1,222	4,971*
No Name Units	0	3	18	1	20	1	43
Household Pop					36	4	40

* The total population is 5,032 which includes 61 persons in correctional or other institutional living quarters.

Source: U.S. Census 2000

These data show that at least 23% of existing housing units are reserved for seasonal or recreational use. Another 17% are renter occupied while 55% are owner occupied. About 3% of total units were available for sale or rent at the time of the census.

The 2000 Census reports that the per capita income on Big Pine was \$23,169. The per capita income of Monroe County was \$26,102. Within the County a reported 7,977 individuals had an income that placed them below the poverty level, roughly 10.2%. On Big Pine the ratio remains similar: 472 individuals below the poverty level (roughly 9.5%).

ROGO on Big Pine Key and No Name Key

Being competitive in the current ROGO system on Big Pine and No Name is extremely difficult. Even if an applicant proposes to building in an improved subdivision on a scarified lot (gaining 10 points for infill and 1 point for a disturbed habitat) they are assessed -10 for being on Big Pine or No Name. An additional 10 points are subtracted if the lot is within the proposed CARL boundaries which consist of approximately 80% of Big Pine and 100% of No Name. Ten more points are subtracted if the lot is located with a Priority I or II acquisition area of the National Key Deer Refuge, which overlaps with much of the CARL boundaries on and covers 100% of No Name. In order to protect threatened or endangered species, 10 points for each species are subtracted if the applicant proposes to build in the known habitat.

The known habitat of the Key deer covers both of the islands so a minimum of -10 points will affect the applicant. Another ten points will be subtracted from any application to No Name Key because it is a unit of the Coastal Barrier Resources System (CBRS). Therefore, just for being located on Big Pine and No Name an applicant would typically be subject to as little as -20 and as much as -80 points in ROGO.

The proposed ROGO system described in this Master Plan simplifies the process. Competition will only be between Big Pine and No Name applicants and the points system will be based predominantly on the Tier designations set forth in the HCP. Additional negative points will discourage development in designated Key deer corridors, close to marsh rabbit habitat, and on No Name Key. To enter the proposed system, a threshold of '0' must be reached and the most negative points which would be imposed would be -40 (for No Name Key within range of marsh rabbit habitat).

Housing Affordability

Retention of existing affordable housing is one of the most difficult issues to address in an area

such as the Florida Keys where market pressure can be heavily slanted towards market rate housing as development slows. This is a particularly heightened issue within the planning area because Big Pine Key has traditionally been perceived as a “bedroom-community” for workers employed in the cities of Key West and Marathon. As existing dwelling units become more valuable due to growth restrictions, redevelopment of units which may now be affordable into market-rate units becomes more attractive to many owners. This pressure is too great to overcome with the use of incentive-based programs so the normal means of retaining affordable housing is to require new affordable units to remain affordable for a specified period of time. County regulations now require a period of fifty years for new affordable units to remain affordable.

Certain land use districts have been traditionally more accommodating to affordable types of housing including commercial districts (as employee housing), mobile home, and duplex or multi-family districts.

Analysis of Community Needs

Define Residential Development

There is a need to clearly define the types and locations of residential development to be permitted. Most residential development will take place in subdivisions but further clarification is needed to address housing in other Tier II and III areas (e.g., commercial and mixed use) and to firmly establish future zoning guidelines for these areas.

Revise ROGO

The dwelling unit allocation system (ROGO) will need to be revised to implement the Tier System Overlay Map and to be consistent with the Master Plan and HCP. The Tier system incorporates most of the factors used in the existing ROGO to assign negative and positive points. By using habitat value, species protection and location as the basis of Tier designation a simplified allocation system can be developed. The revised system should be based on encouraging development to occur in infill areas, Tier III, and discouraging development, using weighting categories, in Tiers I and II. The system should also include additional major negatives for any development proposed in the Key deer corridor or on No Name Key and within the 500 meter buffers of Lower Keys Marsh Rabbit habitat (occupied or unoccupied).

Existing Affordable Housing Stock Inventory

The existing information on affordable housing within the planning area needs to be compiled including the types, locations, conditions, and projected longevity.

Affordable Housing Retention and Expansion

As the pool of housing becomes more limited, the incentive to redevelop existing affordable units into market-rate units may increase. There is a need to determine current and future trends and to take steps to ensure that affordable housing is retained or replaced and, if possible, expanded.

Recommended Strategies and Actions

Strategy 3.1

Control the overall level of residential development for the next twenty years consistent with the

community vision and the growth plan developed through the Livable CommuniKeys planning process. Future development shall also be consistent with the incidental take permit and the accompanying Habitat Conservation Plan for the Florida Key Deer and Other Protected Species.

Action Item 3.1.1: Limit the total allocations for new residential units over the next 20 years to 200 units.

Action Item 3.1.2: Do not consider the replacement of existing, legally established residential units as of the date this plan as new development nor shall on-site replacement be considered to have any H impact.

Action Item 3.1.3: Permit residential units at a steady rate over the twenty-year planning horizon and encourage the distribution of units to designated infill areas. The Rate of Growth Ordinance (ROGO) and Tier Map Overlays shall be the mechanisms used to implement distribution patterns to minimize impact on the resource and rate of growth allocations.

Action Item 3.1.4: Allow residential units of any type listed in the applicable FLUM categories and land use districts with the exception that new transient residential units shall be prohibited.

Action Item 3.1.5: Prohibit transfer of development rights (TDRs) from islands outside of the planning area to within the planning area pursuant to Policy 101.13.4. Additionally, TDRs and transferable ROGO exemptions (TREs) within the planning area shall not be transferred from a higher (infill) tier category to a lower (conservation-open space) tier category, except as provided for in Action Item 3.1.5. Transfers to and from the same tier category are permitted except in Tier I.

Strategy 3.2

Revise the Comprehensive Plan policies regulating the rate and allocation of residential growth to adjust for allocation according to the Tier System for Big Pine Key and No Name Key.

Action Item 3.2.1: Amend the current ROGO to base eligibility to compete in the allocation system upon the location of the proposed development with respect to the Tier System Overlay Map. Remove any direct references to the planning area from Sec. 9.5.122.3

Action Item 3.2.2: The revised ROGO for Big Pine Key and No Name Key shall include:

a. A threshold eligibility of “0” is required to enter the allocation system and compete for an allocation award;

b. Applications in Tier III have no negative points and therefore achieve the threshold and are automatically eligible to enter the allocation system. Baseline negative values assigned to Tier I and II applications are as follows:

Tier II	-10
Tier I	-20

Additional negative points will be accumulated based on the following criteria:

Identified Key deer corridor	-10
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Within 500 meter buffer of Marsh Rabbit habitat -10
No Name Key -10

The above criteria are cumulative e.g. an application within Tier I (-20), a deer corridor (-10), and Lower Keys marsh rabbit habitat (-10) would have a total score of -40;

c. Points may be acquired to reach the threshold and to make the application more competitive through land dedication in Tier I or Tier II (two points) and by aggregating lots in Tier II or Tier III (three points). No aggregation of lots will be permitted in Tier I;

d. A competitive points based system will be used to award allocations to eligible applicants within each allocation period;

e. An additional perseverance point will be added for each year an applicant is in the system after year one;

f. Applications in Tier III, which entered the current ROGO allocation system prior to adoption of this plan will receive an additional perseverance point for every year they have been in the ROGO system. Applicants in Tier I and Tier II, if they acquire the points necessary to reach the threshold will also receive a point for every year in the system.

g. An applicant will be eligible to apply for administrative relief in five years if an allocation award has not been received. The form of relief will be property purchase for Tier I lands and either property purchase or permit award for Tier II and Tier III lands.

Action Item 3.2.3: Count as part of the 200-unit cap, the 30 residential units that have been awarded allocations for beneficial use and administrative relief. These units may be issued upon County approval of the HCP and need not be held for adoption of this Master Plan.

Action Item 3.2.4: Allocate residential units within the planning area at the rate of no greater than 10 in any given year. More than 10 residential awards may be allocated if the excess consists of affordable units, that may be accumulated and issued in any allocation period or “borrowed forward” from future allocations. The allocation rate in this policy replaces that in Policy 103.1.1 of the Comprehensive Plan, which shall be deleted from the plan.

Action Item 3.2.5: Reserve the 10 unit per year allocation rate provided in Strategy 3.2, Action Item 3.2.4 (above) separately out of the Lower Keys annual allocation for the exclusive use of the Big Pine Key and No Name Key planning area for at least the first five years of the twenty-year planning horizon. This will provide for housing opportunities within the planning area that were not available during the temporary deferral of awards preceding adoption of this plan. At the end of five years, the need for and effect of a reserve allocation shall be reevaluated and the reserve either abolished or continued. However the planning area shall continue to bear its fair share of the minimum 20% affordable housing set-aside (i.e. 2 units per year) as part of the annual 10-unit allocation pursuant to ROGO requirements.

Action Item 3.2.6: Limit allocation awards in Tier I to no more than two percent of all residential units permitted over the twenty year planning period or a total of $H = 0.022$, which-

ever results in the lower H.

Strategy 3.3

Retain and expand availability of affordable housing within the planning area to the greatest extent possible.

Action Item 3.3.1: Identify the locations and characteristics of the existing pool of affordable housing in the planning area. These areas shall be targeted for the formulation and implementation of retention and expansion mechanisms.

Action Item 3.3.2: Consider an incentive program for existing mobile home parks and other existing or potential affordable housing in the planning area to provide for retention of affordable status.

Action Item 3.3.3: Set aside a minimum of 20% (i.e., 2 per year) of dedicated ROGO units for affordable housing development within the planning area. This number may be adjusted during the annual BOCC review of the HCP status report.

Action Item 3.3.4: Consider provision of incentives for businesses to build affordable housing, including employee housing, in conjunction with their businesses on U.S. 1.

GOAL 4

Provide opportunities for redevelopment and expansion of existing businesses and limited new non-residential uses within the U.S. 1 Corridor on scarified lands.

Current Conditions Summary

The LCP process envisioned a redevelopment focus for the commercial uses within the planning area, primarily those near U.S. Highway 1 on Big Pine Key. The allocation of 47,800 s.f. of new commercial floor area represents the maximum, that may be needed to serve the additional 200 residential units (at the rate of 239 square feet per unit per year established by the Non-residential Rate of Growth Ordinance). Therefore, much of the new floor area is to be used for redevelopment and expansion of existing businesses.

The only commercial business (outside possible home-based businesses) located on No Name Key is an operating borrow pit. That site is used for materials extraction only and is not open to the public. Therefore the focus of discussion for non-residential development issues is Big Pine Key. Table 2.6 lists some characteristics of existing businesses on Big Pine Key.

Table 2.6 Big Pine Key commercial data.		
Commercial Type	Number	Floor Area
Retail	27	214,820
Restaurant	6	19,952
Financial	3	6,431
Office	10	40,392
Industrial	15	75,313
Indoor or Outdoor Storage	8	30,280
Auto or Marine Service	6	13,916
Service	21	89,200
Total	96	490,304
Source: Monroe County Planning and Environmental Resources Department		

Most businesses are located near U.S. Highway 1 in the central business area of Big Pine Key. This area was identified as the U.S. 1 Corridor Area for purposes of analysis during the LCP process. All of the businesses in Tier III are located in the U.S. 1 Corridor Area. It also appears at this time that the 47,800 square foot limit on commercial envisioned in the LCP process may be more than adequate to accommodate future expansions. Further analysis of existing commercial uses will help to identify where future commercial expansion is likely to take place and whether the 47,800 square foot limit is likely to be needed within the twenty-year planning horizon.

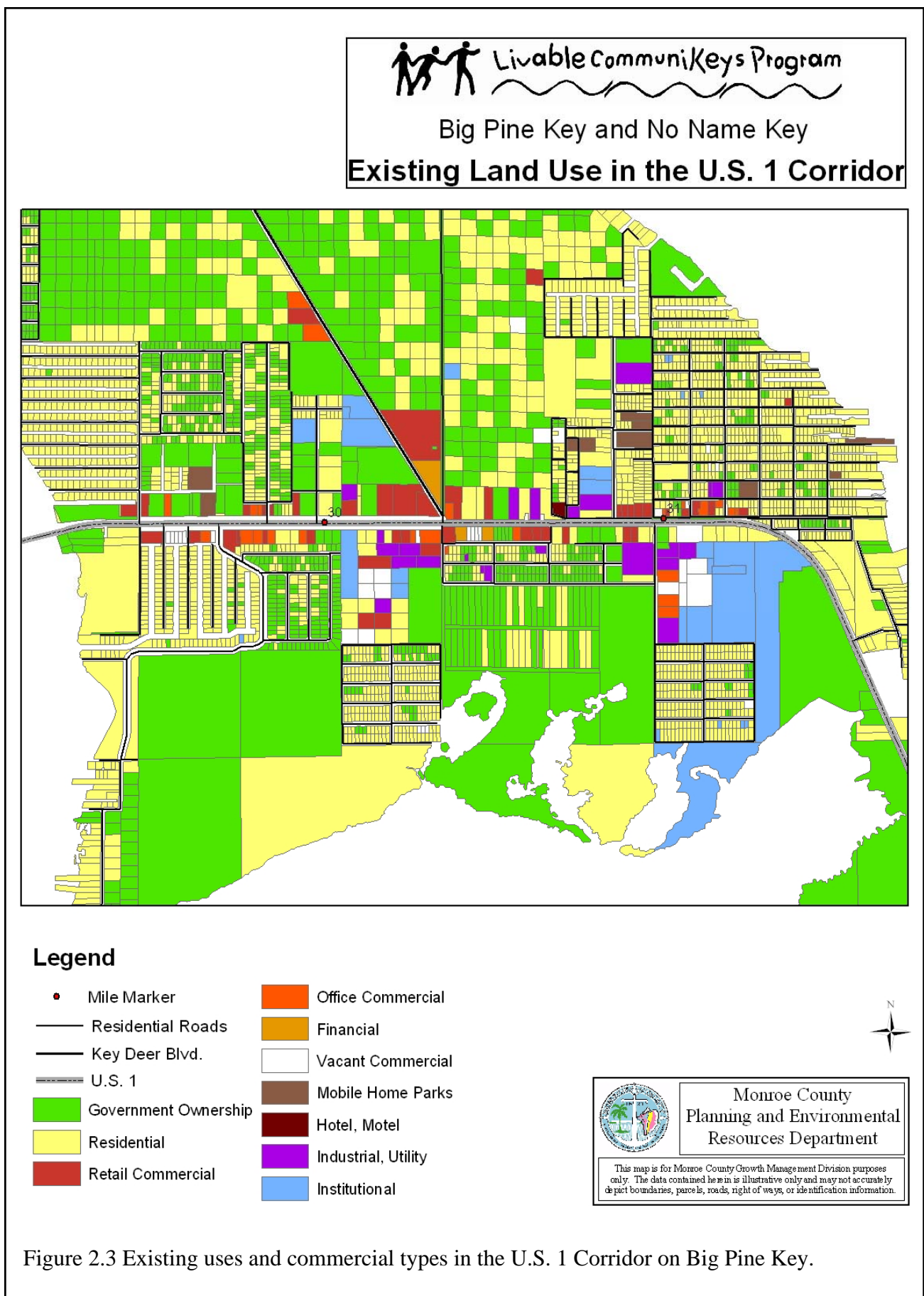


Figure 2.3 Existing uses and commercial types in the U.S. 1 Corridor on Big Pine Key.

Industrial uses are scattered throughout the U.S. 1 corridor area, however most do not directly front U.S. 1 but are located off of side streets. Many industrial uses operate ‘in the open’, that is to say they are not located entirely within a building structure. Concrete plants, marine repair shops, and auto yards typically only have a small building but much of the site is utilized for work and storage. Industrial uses are not currently subject to NROGO, therefore additional floor area for manufacturing, assembly, wholesaling, or distribution no allocation is necessary.

In January 2003 Monroe County proceeded with a design charrette planning process for the commercial corridor area of Big Pine Key. The charrette was a facilitated community discussion during which design concepts were developed and graphically assembled at the meeting for immediate reaction. The focus of the discussion was the U.S. 1 Corridor Area and the idea of a community center was presented as a layered concept based primarily on walking distance to the existing commercial center of Big Pine Key.

Analysis of Community Needs

Define Commercial Development

There is a need to clearly define the types and locations of commercial development permitted. The proposed development plan includes redevelopment and infill of existing commercial uses in the U.S. 1 Corridor Area. The Tier Map shows Tier I and Tier III lands within the U.S. 1 Corridor Area. The HCP requirements place some limitations, especially on the intensities of uses that can be permitted if the maximum floor area (47,800 square feet) is to be accommodated. Further guidance on commercial redevelopment is found in the Smart Growth Initiatives (Policy 105.2.15) that call for the creation of Community Center Overlay districts where commercial redevelopment and infill may be encouraged.

During the LCP process the Community Center idea was expressed as the “Main Street” development alternative. While this alternative was not ultimately selected as the preferred development alternative it did convey an existing centralized business focus surrounding the Key Deer Boulevard/U.S. 1 intersection having potential for enhancement. The U.S. 1 Corridor Area Design Charrette held in January 2003 with the community also identified this intersection as a focus for future commercial development.

Revise NROGO

Some portions of NROGO are to be automatically updated as Master Plans for individual communities are completed. NROGO for Big Pine Key will need to be revised accordingly and will also need to be revised for compliance with the development limits set forth by the Master Plan and ITP. In addition, NROGO needs to be updated to implement the Tier System.

Although certain types of industrial floor area are not subject to NROGO, the HCP requires all increases in floor area to be considered development and must be accounted for in the total 1.1 H allowed over the 20-year horizon. Therefore, the H impact for new industrial floor area shall be calculated and subtracted from the total H allowed for commercial development.

Recommended Strategies and Actions

Strategy 4.1

Plan the overall level of non-residential development for the next twenty years to be consistent with the community vision and development plan selected through the Livable CommuniKeys planning process. It shall also be consistent with the incidental take permit and the accompanying Habitat Conservation Plan for the Florida Key Deer and Other Protected Species.

Action Item 4.1.1: Limit the total amount of new commercial floor area that may be permitted to 47,800 square feet over the twenty-year planning horizon. This amount may be revised at a later time based on data indicating a change is warranted.

Action Item 4.1.2: Designate the U.S. 1 Corridor Area as the area defined in the Big Pine/US 1 Corridor enhancement plan, incorporated herein by reference.

Action Item 4.1.3: Direct non-residential development and redevelopment to infill in existing non-residential areas on Tier II and Tier III lands, mainly in the U.S. 1 Corridor Area. New commercial development will be limited to disturbed or scarified land – no clearing of pine-lands and/or hammock will be permitted.

Action Item 4.1.4: Prohibit new non-residential development in Tier I. Redevelopment and expansion of existing institutional uses in Tier I is allowed, but is restricted to disturbed or scarified land.

Action Item 4.1.5: Create a Community Center Overlay on Big Pine Key pursuant to Policy 105.2.15 of the Comprehensive Plan where Tier III infill and incentives for redevelopment will be encouraged. The Community Center Overlay shall be located at the intersection of U.S. 1 and Key Deer Boulevard, Wilder Road and Chapman Street; and be limited to the geographical area designated in figure 2.4. Land Development Regulations for design of the Community Center Overlay shall be as follows:

- a. Small individual buildings, of 2,500 square feet or less, fronting both U.S. 1 and Key Deer Boulevard will be encouraged, with commercial uses on the lower floor and employee housing on the upper floor.
- b. The FAR in the Overlay District may be increased to .40 to foster a coherent more dense streetscape.
- c. Parking lots in front of the commercial uses are discouraged, although on street parking may occur where appropriate
- d. Building front setbacks are reduced with the majority of the building façade on the required building line.
- e. Arcades, colonnades, open porches, canopies, awnings, balconies may be permitted to encroach on the frontage.

Action Item 4.1.6: Prohibit the following new uses or change in use:

- a. Commercial retail high intensity uses that generate more than one hundred and fifty (150) trips per one thousand square feet of floor area.
- b. Outdoor storage as a principal use.
- c. Outdoor retail sales as a principal use.

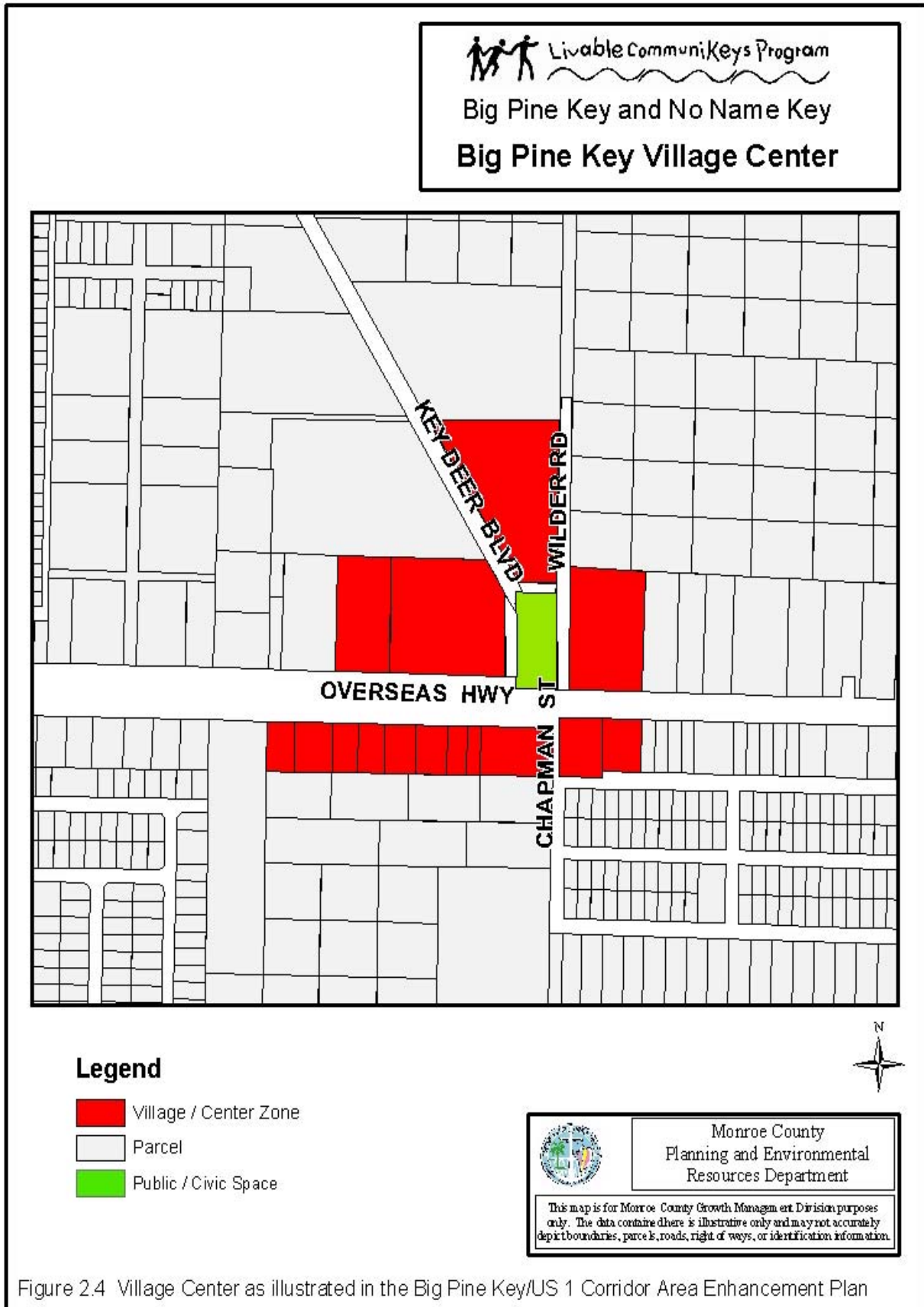


Figure 2.4 Village Center as illustrated in the Big Pine Key/US 1 Corridor Area Enhancement Plan

Action Item 4.1.7: Limit new commercial uses to medium and low intensity uses with corresponding limitations on trip generation. This restriction replaces those in Policy 103.1.1 of the Comprehensive Plan. Policy 103.1.1 shall be deleted from the plan.

Action Item 4.1.8: Create a new land use district category called Light Industrial (LI) for the purpose of more appropriate definition and accommodation of existing light industrial uses on Big Pine Key. The LI category may be considered for parcels within the Mixed Use/Commercial (MC) FLUM category that do not border on U.S. Highway 1 and are currently occupied by light industrial uses such as, but not limited to construction material and lumber yards, outdoor and/or enclosed storage, warehouses and distribution centers, auto and marine services.

Action Item 4.1.9: Prohibit new light industrial uses in the Suburban Commercial land use district fronting on U.S. 1.

Action Item 4.1.10: Count H impact for new industrial square footage, even if exempt from NROGO, as part of the total 1.1 H available for development activities over the 20-year planning horizon. The H used for industrial development shall be counted as a part of the H to be used for commercial development.

Strategy 4.2

Revise the comprehensive plan policies regulating the rate and allocation of non-residential growth to adjust for allocation according to the Tier System.

Action Item 4.2.1: Revise the non-residential rate of growth ordinance (NROGO) to base eligibility to compete in the system upon the location of the proposed development with respect to the Tier System Overlay Map and make the following changes to the NROGO point system:

- a. Revise Criterion 6 to delete Big Pine Key and No Name Key from the critical habitat list.
- b. Revise Criterion 1 to encourage, by awarding positive points, both infill development and the redevelopment of existing commercial properties in Tier III to bring them into closer conformance with the current comprehensive plan and land development regulations. This point criterion shall not apply to the redevelopment of historic resources.
- c. Add an evaluation criterion, that encourages, by awarding positive points, the location of new commercial floor area within the U.S. 1 Corridor Area and within the Community Center Overlay area.

Action Item 4.2.2: Allow new commercial square footage allocation awards to exceed 2,500 square feet per site within the designated Community Center Overlay provided they follow adopted design guidelines (see Community Character Element).

Action Item 4.2.3: Prohibit the transfer of commercial floor area from outside the planning area pursuant to NROGO. Transfer of commercial floor area from one site to another entirely within the planning area may be allowed provided the receiver site is located within the designated Community Center.